

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Melanie van Kampen,)	C/A: 3:18-1067-HMH-TER
)	
Plaintiff,)	
)	ORDER
vs.)	
)	
State of South Carolina,)	
)	
Defendant.)	
)	

This is an action filed by a nonprisoner. This case is before the Court due to Plaintiff's failure to comply with the magistrate judge's order for Plaintiff to pay the filing fee, denial of Plaintiff's Motion for leave to proceed *in forma pauperis*. (ECF Nos. 10, 8). Plaintiff failed to respond to the order by paying the fee and the time has passed for a response. Plaintiff's lack of response indicates an intent to not prosecute this case, and subjects this case to dismissal. *See* Fed. R. Civ. P. 41(b)(district courts may dismiss an action if a Plaintiff fails to comply with an order of the court); *see also Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989)(dismissal with prejudice appropriate where warning given); *Chandler Leasing Corp. v. Lopez*, 669 F.2d 919, 920 (4th Cir. 1982)(court may dismiss *sua sponte*).

Accordingly, this case is dismissed without prejudice. The Clerk of Court shall close the file.

IT IS SO ORDERED.

Greenville, South Carolina
June 14, 2018

s/Henry M. Herlong, Jr.
Senior United States District Judge

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.